



Sharon E. Crane, Ph.D.

MEMBER

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“Protecting and promoting innovation for entities of all sizes and backgrounds is our responsibility and privilege.”

OVERVIEW

Sharon Crane’s work centers on patent prosecution, opinion work, patent interferences, and post-grant practice at the U.S. Patent and Trademark Office Patent Trial and Appeal Board (PTAB), with an emphasis on biotechnology and pharmaceutical clients. Prior to entering the legal profession, Sharon was awarded a doctorate in molecular biology and was a researcher in private industry. She is therefore exceptionally well-versed in the technology and science that underlie many of her clients’ inventions – an invaluable complement to her legal capabilities.

Sharon counsels clients on the identification of inventions and guides them in the complex process of translating innovations into patent applications they can file, defend, and ultimately commercialize. She prepares and prosecutes patent applications, as well as developing strategies concerning the scope and nature of claims her clients make in those applications.

She is passionate about issues of diversity, equity, and inclusion (DEI) in the legal profession, particularly concerning the support and visibility of women. She is a founder of an internal group at Rothwell Figg focused on women’s professional issues, particularly with respect to inclusion, advancement, and work/life balance. She is also a member of a network of global patent attorneys, Fédération Internationale des Conseils en Propriété Intellectuelle (FICPI), in which she acts as a Deputy Secretary General, was the

Practices

Appellate Litigation
Due Diligence
Ex Parte Reexaminations
Hatch-Waxman Litigation
Inter Partes Review (IPR) and Post Grant Review (PGR)
Interferences
International Filings
Opinions, Freedom to Operate, and Patentability Analysis
Patent and Trademark Office Proceedings
Patent Litigation
Patent Prosecution
Patent Strategy and Counseling
Portfolio Management
Trademark Prosecution

Education

J.D., The George Washington University Law School
Ph.D., Molecular Biology and

previous chair of the Biotechnology and Pharmaceutical working group (CET5), and currently co-chairs their DEIA and webinar series committees.

This worldwide network of colleagues is invaluable when her work involves coordination of cross-border patents in multiple jurisdictions.

Sharon's work requires not only a thorough understanding of the technology underlying an innovation, but also a comprehensive analysis of the competitive landscape surrounding it, with a particular focus on other companies with similar technologies. When it comes to IP and technology law, innovation does not occur in a vacuum. Sharon's job is to understand where technologies overlap, and in some sense to predict the future: she needs to understand not only where the technology is, but anticipate where it's going, and direct her client in view of that knowledge.

The goal, always, is to assist clients in building a strong patent portfolio, avoid litigation (unless absolutely necessary), develop brand recognition, and ultimately assist and counsel them in building a profitable enterprise. Sharon helps her clients define and carve out a market niche in which they can compete.

An essential aspect of this undertaking is clear and effective communication with inventors, with whom she frequently works. For example, an inventor will use a lab notebook to write down what they do every day for years. The contents of the notebook can have immense consequences for the patentability and protection of their work. Inventors frequently don't understand the critical legal turning points and the implications of the contents of the notebook.

Sharon's role is to review and interpret information such as this, thinking in terms of claims -- how what they have achieved in the lab, published in papers, and shared with potential customers and investors can influence the process of protecting their work. A brief, casual note in the margin of lab notebook can have a major impact down the road. It's Sharon's job to think about things like that and counsel them accordingly.

Sharon is also a gifted strategist. By thinking broadly and creatively about the facts with which she is dealing, she can often arrive at innovative or highly creative solutions to legal problems. By putting a different spin on an issue, or delivering a different insight, Sharon frequently helps her clients arrive at transformative strategies that

Genetics, Johns Hopkins School of Medicine

B.A., Behavioral Biology, Johns Hopkins University

Bar Admissions

District of Columbia

New Jersey

New York

U.S. Patent and Trademark Office

Court Admissions

U.S. Supreme Court

U.S. Court of Appeals for the Federal Circuit

deliver exceptionally positive results.

EXPERIENCE

District and Circuit Court Cases

Allergan Inc. v. Exela Pharmsci Inc., No. 07-516 (D. Del. filed Sept. 24, 2007)

Asterias Biotherapeutics, Inc. v. Viacyte, Inc., No. 12-4813 (N.D. Cal. filed Sept. 13, 2012)

Collectis v. Seattle Children's Research Institute, 797 F. App'x 537 (Fed. Cir. 2020)

Collectis S.A. v. Precision Biosciences Inc., No. 11-890 (D. Del. filed Sept. 30, 2011)

Invitrogen Corp. v. Clontech, No. 96-4080 (D. Md. filed Dec. 31, 1996)

Johns Hopkins University v. 454 Life Sciences Corp., 230 F. Supp. 3d 357 (D. Del. 2017)

Precision Biosciences, Inc. v. Collectis S.A., No. 11-91 (E.D. N.C. filed Mar. 1, 2011)

PTAB Interference Cases

Cabilly v. Boss, Interference No. 102,572 - Judgment of prior invention in favor of Cabilly

Collectis v. Seattle Children's Research Institute, Interference No. 106,052 - Prevailed at PTAB and in Federal Circuit Appeal No. 19-1664

Cani v. Kaplan, Interference No. 106,130 - Case ongoing

Conzelmann v. Hong, Interference No. 105,503 - Judgment against Hong

D'Amour v. Fisk, Interference No. 105,734 - Judgment against Fisk

Deen v. Ni, Interference No. 104,784 - Judgment of priority in favor of Ni

Dung v. Buehler, Interference No. 105,893 - Settlement in which Dung requested adverse judgment

Fan v. Lo, Interference No. 105,922 - Judgment against Quake based on priority

Fiddes v. Baird, Interference No. 102,229 - Judgment against Baird

Fiers v. Sugano, Interference No. 105,939 - Judgment against Fiers based on estoppel, and at the Federal Circuit based on estoppel and 35 U.S.C. § 146 district court appeals having been abolished by the AIA

Gladstone Institutes v. Oregon Health and Science University, Interference No. 105,686 - Settlement after Gladstone Institutes Request for Adverse Judgment



Gluckman v. Lewis, Interference No. 104,553 - Judgment in favor of Lewis

Hitzeman v. Rutter, Interference No. 102,416 - Judgment of priority in favor of Rutter

Ho v. Furcht, Interference No. 105,953 - Judgment against Furcht based on lack of written description; settlement after briefing in appeal

Howell v. Lentz, Interference No. 105,413 - Judgment against Howell on priority

Johns Hopkins University v. 454 Life Sciences, Interference No. 105,857 - Judgment against Johns Hopkins University for failure to show priority

Lee v. Hitzeman v. Rutter, Interference No. 102,416 - Judgment of priority in favor of Rutter

Lo v. Quake Interference No. 105,923 - Judgment against Quake based on lack of written description

Lo v. Quake Interference No. 105,924 - Judgment against Quake based on lack of written description

Meso Scale Technologies, LLC v. Crescendo Bioscience, Inc. and Oklahoma Medical Research Foundation, Interference No. 106,122 - Prevailed at PTAB

Quake v. Lo, Interference No. 105,920 - Judgment against Lo based lack of written description

Santarsiero v. DeLucas, Interference No. 105,403 - Judgment against Santarsiero

Short v. Patten, Interference No. 105,532 - Judgment against Short

Short v. Punnonen, Interference No. 105,188 - Judgment against Short

Singh v. Brake, Interference No. 102,728 - Judgment against Singh after two Federal Circuit Appeals

Yu (Human Genome Sciences, Inc.) v. Browning (Biogen Idec), Interference No. 105,485 - Judgment in arbitration that Yu were the first to invent

University of Western Australia v. Academisch Ziekenhuis Leiden, Interference No. 106,007 - Judgment against UWA based on lack of priority; settlement after briefing in appeal

University of Western Australia v. Academisch Ziekenhuis Leiden, Interference No. 106,008 - Judgment against AZL based on 35 U.S.C. § 135(b) for failure to timely copy claims; settlement after briefing in appeal

University of Western Australia v. Academisch Ziekenhuis Leiden Interference, No. 106,013 - Judgment against UWA based on lack of priority; settlement after briefing in appeal

Zambrowicz v. Harrington, Interference No. 105,104 - Settlement after Judgment against Zambrowicz

PTAB AIA Cases

Adama Makhteshim Ltd. v. Finchimica S.p.A., IPR2016-00577 – Represented Finchimica S.p.A. as Patent Owner in an IPR proceeding filed by Adama Americas, Adama Makhteshim, Makhteshim Agan of North America, ADAMA Agricultural Solutions, and Control Solutions over U.S. Patent No. 8,304,559, method for the synthesis of 5-amino-1-phenyl-3-cyano-4-trifluoromethyl sulfinyl.

Amneal Pharmaceuticals, LLC v. Endo Pharmaceuticals Inc., IPR2014-00160 – Represented Endo Pharmaceuticals as Patent Owner in an IPR proceeding filed by Amneal Pharmaceuticals over U.S. Patent No. 7,851,482, method for making analgesics.

Ariosa Diagnostics v. The Board of Trustees of the Leland Stanford Junior University, IPR2013-00308 – Represented The Board of Trustees of the Leland Stanford Junior University as Patent Owner in an IPR proceeding filed by Ariosa Diagnostics over U.S. Patent No. 8,296,076, noninvasive diagnosis of fetal aneuploidy by sequencing.

Crescendo Bioscience, Inc. v. L. Douglas Graham, PGR2017-00020 – Represent Myriad Genetics, Oyster Point Blvd., and Crescendo Biosciences as Petitioners in a PGR proceeding against L. Douglas Graham over U.S. Patent No. 9,387,246, treatment for methods for rheumatoid arthritis.

Sequenom, Inc. v. The Board of Trustees of the Leland Stanford Junior University, IPR2014-00337 – Represented The Board of Trustees of the Leland Stanford Junior University as Patent Owner in an IPR proceeding filed by Sequenom over U.S. Patent No. 8,195,415, noninvasive diagnosis of fetal aneuploidy by sequencing. All claims were denied institution.

Sequenom, Inc. v. The Board of Trustees of the Leland Stanford Junior University, IPR2013-00390 – Represented The Board of Trustees of the Leland Stanford Junior University as Patent Owner in an IPR proceeding filed by Sequenom over U.S. Patent No. 8,195,415, noninvasive diagnosis of fetal aneuploidy by sequencing.

HONORS & RECOGNITIONS

Washington, D.C. Super Lawyers (2018-2023)

COMMUNITY & PROFESSIONAL

American Bar Association, Intellectual Property Law Section

American Bar Association, Post Grant and Inter Partes Subcommittee

American Intellectual Property Law Association, Biotechnology Committee, Member

American Intellectual Property Law Association, Chemical Practice Committee, Member

American Intellectual Property Law Association, Diversity in IP Committee, Member

American Intellectual Property Law Association, Emerging Technologies Committee, Member

American Intellectual Property Law Association, PTAB Trial Committee, Member

American Intellectual Property Law Association, TSC Liaison Program, Member

American Intellectual Property Law Association, Women in IP Law Committee, Member

Federal Circuit Bar Association

Previous Chair of Fédération Internationale des Conseils en Propriété Intellectuelle (FICPI) CET Group 5-Biotechnology and Pharmaceuticals

Co-Chair of Fédération Internationale des Conseils en Propriété Intellectuelle (FICPI) DEIA and Webinar Series Committees

Deputy Secretary General of Fédération Internationale des Conseils en Propriété Intellectuelle (FICPI)

Intellectual Property Owners Association, U.S. Post-Grant Patent Office Practice Committee, Member

International Association for the Protection of Industrial Property

Maryland Patent Law Association

President 2001-2003; Vice President 1999-2001; Treasurer 1996-1999

New York Intellectual Property Law Association

U.S. Bar - EPO Liaison Council

Chair, 2006-2008